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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

12 L.C., a minor by and through her  
13 guardian *ad litem* Maria Cadena,  
14 individually and as successor-in-interest  
15 to Hector Puga; I.H., a minor by and  
16 through his guardian *ad litem* Jasmine  
17 Hernandez, individually and as  
successor-in-interest to Hector Puga;  
A.L., a minor by and through her  
guardian *ad litem* Lydia Lopez,  
individually and as successor-in-interest  
to Hector Puga; and ANTONIA  
SALAS UBALDO, individually.

19 Plaintiffs.

20 | VS.

21 STATE OF CALIFORNIA; COUNTY  
22 OF SAN BERNARDINO; S.S.C., a  
nominal defendant; ISAIAH KEE;  
23 MICHAEL BLACKWOOD;  
BERNARDO RUBALCAVA;  
24 ROBERT VACCARI; JAKE ADAMS  
25 and DOES 6-10, inclusive.

26 Defendants

CASE NO. 5:22-cv-00949-KK-(SHKx)

*Assigned for All Purposes to:  
Hon. Kenly K. Kato – Courtroom 3*

**[PROPOSED] ORDER DISMISSING  
PLAINTIFFS' FIRST AND THIRD  
CLAIMS FOR 42 U.S.C. § 1983  
DETENTION AND ARREST AND  
DENIAL OF MEDICAL CARE  
CLAIMS AGAINST COUNTY  
DEPUTIES AND STATE OFFICERS  
AND SUBSTANTIVE DUE  
PROCESS AGAINST VACCARI**

Trial Date: June 2, 2025

*Complaint filed: 06/07/2022*

FAC filed: 10/18/22

SAC filed: 01/13/23  
TAG filed: 05/12/23

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1 This cause coming to be heard on the stipulation of the parties, pursuant to Fed.  
2 R. Civ. P. 41(a)(1)(A)(ii), for voluntary dismissal, with prejudice, of certain claims in  
3 Plaintiffs' Third Amended Complaint (Dkt. 68), the parties being in agreement and  
4 the Court being advised of the premises of this Order, the Court hereby dismisses:

5 1. Plaintiffs' First Claim for Fourth Amendment – Detention and Arrest (42  
6 U.S.C. § 1983) is dismissed against Isaiah Kee, Michael Blackwood, Bernardo  
7 Rubalcava, Robert Vaccari, and Jake Adams with prejudice.

8 2. Plaintiffs' Third Claim for Fourth Amendment – Denial of Medical Care (42  
9 U.S.C. § 1983) is dismissed against Isaiah Kee, Michael Blackwood, Bernardo  
10 Rubalcava, Robert Vaccari, and Jake Adams.

11 3. Plaintiffs' Fourth Claim for Fourteenth Amendment – Substantive Due Process  
12 (42 U.S.C. § 1983) is dismissed against Sergeant Robert Vaccari.

13 4. The allegations related to medical care of Decedent, specifically ¶ 48 and ¶  
14 107(d) are struck entirely, and the allegation medical care was denied in ¶¶ 117, 118,  
15 and 119 are struck.

16 5. Each party shall bear their own costs and fees as to these claims.

17 The above-mentioned claims are hereby dismissed with prejudice.

18 **IT IS SO ORDERED.**

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21 DATED: \_\_\_\_\_

22 Honorable Kenly K. Kato  
23 UNITED STATES DISTRICT JUDGE  
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